

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:10CR370
Plaintiff,)	
)	
vs.)	ORDER
)	
HUGH BIGFIRE,)	
)	
Defendant.)	

This matter is before the court on the oral motion of defendant Hugh Bigfire (Bigfire) for an extension of the pretrial motion deadline. The motion was made during a hearing on December 22, 2010, to accommodate Bigfire's entry into a substance abuse treatment program. Bigfire acknowledged the additional time needed for his motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. Bigfire's motion for an extension of time to file pretrial motions is granted. Bigfire shall have **to on or before February 28, 2011**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from December 22, 2010 to February 28, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 23rd day of December, 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge